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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/996.681	11/30/2001	Alain E. Perregaux	D/A1232	4178

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EXAMINER

VINH, LAN

ART UNIT	PAPER NUMBER
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1765

DATE MAILED: 09/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/996,681

Applicant(s)

PERREGAUX ET AL.

Examiner

Lan Vinh

Art Unit

1765

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 September 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 10-26 is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 9/9/2004 has been entered.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claim 1 is rejected under 35 U.S.C. 102(e) as being anticipated by Tohyama et al (US 6,515,309)

Tohyama discloses a method of manufacturing LED chip comprises the steps of:
using dry etch to etch a U-groove 7 in the semiconductor wafer substrate 20 (col 7, lines 11-13, fig. 12B)

dicing/sawing the semiconductor wafer along groove 7 where one edge of dicing saw 22 aligns with the bottom of groove 7 and reaches the bottom surface of the groove/coextensive with the bottom of groove 7 (col 14, lines 11-38, fig. 3B; fig. 12B)

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tohyama et al (US 6,515,309) in view of Bondur et al (US 4,726,879)

Tohyama's method has been described above. Unlike the instant claimed invention as per claim 2, Tohyama fails to disclose the step of dry etching using a combination of SF₆ and oxygen.

However, Bondur discloses a method for dry etching trenches/groove in semiconductor substrate comprises the step of dry etching a trench using a combination of SF₆ and oxygen (col 5, lines 31-33; col 6, lines 10-11)

Hence, one skilled in the art would have found it obvious to modify Tohyama's step of dry etching the groove by dry etching using a combination of SF₆ and oxygen as per Bondur because Bondur teaches that the gas mixture of SF₆ and oxygen would facilitate a high etch rate ratio of semiconductor to insulator while providing excellent controllability of the etching process (col 5, lines 43-45)

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5. Claims 3-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tohyama et al (US 6,515,309) in view of Bondur et al (US 4,726,879) and further in view of MacDonald, Jr et al (US 6,184,570))

Tohyama as modified by Bondur has been described above. Unlike the instant claimed invention as per claims 3, 6, Tohyama and Bondur does not specifically disclose that the semiconductor wafer substrate comprises of amorphous silicon, silicon on insulator.

MacDonald discloses a method for forming semiconductor dies comprises the step of forming semiconductor dies from silicon and silicon on insulator (col 4, lines 30-35)

Hence, one skilled in the art would have found it obvious to modify Tohyama and Bondur method by forming the semiconductor substrate from silicon and silicon on insulator as per MacDonald because MacDonald states that the integrated die may be fabricated of monocrystalline silicon or may include an active substrate including SOI substrate (col 4, lines 29-35)

Regarding claims 4-5, Tohyama discloses forming a substrate of GaAsP/group III-V compound (col 6, lines 30-32)

6. Claims 7-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tohyama et al (US 6,515,309) in view of Bondur et al (US 4,726,879) and further in view of Sherre~~x~~et al (US 6 363,201)

Tohyama as modified by Bondur has been described above. Unlike the instant claimed invention as per claims 7-9, Tohyama and Bondur fail to disclose the specific dimensions (depth and width) of the groove.

However, Sherrer discloses a method for forming semiconductor chip comprises the step of forming the wick stop trench 26 /U-shaped grooves in the range of 5 microns (col 3, lines 57-60)

Hence, one skilled in the art would have found it obvious to modify Tohyama and Bondur by forming the U-shaped trench/groove having the dimensions as taught per Sherrer because according to Sherrer a wick stop trench/U-shaped trench can have a wide range of depth and widths (col 3, lines 35-37)

Allowable Subject Matter

7. Claims 10-26 are allowed.

The following is an examiner's statement of reasons for allowance:

Regarding claims 10, 21, the cited prior art of record fails to disclose a method for dicing die comprises the step of etching by way of a second dry etch a U-groove in the opening down to the surface of the semiconductor wafer created by the first dry etch. The closest cited prior art of Kosaki (US 5,998,238) discloses a method for fabricating semiconductor chip comprises the step of second wet etch a U-groove 2 in the opening down to the surface of the semiconductor wafer created by the first dry etch (col 25, lines 7-10)

Response to Arguments

8. Applicant's arguments with respect to claims 1-9 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lan Vinh whose telephone number is 571 272 1471. The examiner can normally be reached on M-F 8:30-5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nadine Norton can be reached on 571 272 1465. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



LV
September 27, 2004